

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

DR 2000-095662

04/15/2009

HONORABLE DEAN M. FINK

CLERK OF THE COURT  
J. Porter  
Deputy

IN RE THE MARRIAGE OF  
KELLI L ELMQUIST

KELLI L ELMQUIST  
238 N LA ARBOLETA DR  
GILBERT AZ 85234

AND

DAVID P ELMQUIST

DAVID P ELMQUIST  
1855 E SARATOGA ST  
GILBERT AZ 85296

AG-CHILD SUPPORT-EAST VALLEY  
OFFICE

MINUTE ENTRY

Courtroom-1202

2:13 p.m. This is the time set for a Temporary Orders hearing regarding Petitioner's Motion for Post-Decree Temporary Order Without Notice for Modification of Child Custody filed April 1, 2009. Petitioner/Mother is not present on her own behalf. Respondent/Father is not present on his own behalf.

A recording of this proceeding is made by audio and/or videotape in lieu of a court reporter.

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Discussion is held.

This matter was scheduled for 2:00 p.m., and the Court has waited over 13 minutes to give both parties an opportunity to appear. Neither party has appeared nor have they contacted this Court either in writing or by telephone to explain a reason for their nonappearance. Accordingly, this matter now proceeds.

Based upon the failure to appear,

The Court is dismissing the Motion for Post-Decree Temporary Order Without Notice for Modification of Child Custody filed April 1, 2009. The Court will schedule a Resolution Management Conference related to the Permanent petition that was filed.

**IT IS ORDERED** setting a Resolution Management Conference on **June 30, 2009 at 9:30 a.m.** (time allotted: 15 minutes) before Judge Dean M. Fink at:

Maricopa County Superior Court  
Central Court Building  
201 W. Jefferson  
Courtroom 1202  
Phoenix, AZ 85003

Both parties, together with their counsel, if represented, shall appear in person, and be prepared to discuss the final resolution and, if necessary, pre-trial management of this case. IF ONLY ONE PARTY APPEARS, THE COURT MAY ENTER A DEFAULT AGAINST THE ABSENT PARTY, AND ALLOW THE PARTY THAT APPEARS TO PROCEED BY DEFAULT. IF BOTH PARTIES FAIL TO APPEAR, THE ACTION MAY BE DISMISSED.

MANDATORY RESOLUTION STATEMENT

**IT IS FURTHER ORDERED** that each party shall fully complete and file a Resolution Statement as required by Rule 76(A), Arizona Rules of Family Law Procedure, in proper form without argument, narrative statements or other documents, and provide a copy to the adverse party and to this Division at least 5 judicial days before the Conference. The Court is required to consider the reasonableness of each party's positions, including the failure to take a position, in any subsequent requests for attorney's fees made pursuant to A.R.S. §§ 25-324 and 12-349. The Resolution Statement may be obtained through the Self Service Center. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/familyCourt/pdf/resolutionStmt.pdf>.

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PRE-CONFERENCE SETTLEMENT MEETING

**IT IS FURTHER ORDERED** that the parties and counsel, if any, shall personally meet and confer prior to the Resolution Management Conference to resolve as many issues as possible. In the event the parties and counsel, if any, have not met prior to the Resolution Management Conference, they shall all be present and meet at the court one (1) hour prior to the scheduled Resolution Management Conference. If there is a current court order prohibiting contact of the parties or a significant history of domestic violence between the parties, the parties shall not be required to personally meet or contact each other in violation of the court order, but the parties and their counsel shall take all steps reasonable under the circumstances to resolve as many issues as possible prior to the RMC. The parties shall also submit to the court no later than the time of the RMC a Joint Alternative Dispute Resolution Statement required by Rule 66(E), Arizona Rules of Family Law Procedure.

DISCLOSURE

**IT IS FURTHER ORDERED** that both parties shall complete the initial disclosure requirements of Rule 49 or 50, Arizona Rules of Family Law Procedure (ARFLP), as appropriate prior to the Resolution Management Conference. Pursuant to Rule 65(C), ARFLP, any party who fails to timely disclose information required by Rule 49 or 50 shall not be permitted to use such evidence in future motions, hearings or trials, except by leave of court for good cause shown, unless such failure is harmless.

PARENT EDUCATION PROGRAM

**IT IS FURTHER ORDERED** that in the event the parties have a natural or an adopted minor, un-emancipated child in common, both parties shall have completed, or be scheduled to complete, an approved Parent Education Program in accordance with A.R.S. §25-351 et seq. prior to the Resolution Management Conference and file proof thereof prior to or at the time of the Conference.

Failure to obey this order in all respects may subject the offending party or counsel to all sanctions provided and allowed by court rule, statute or other law.

NOTE: All Court proceedings are recorded by audio method and not by a court reporter. Any party may request the presence of a court reporter by contacting the division three (3) court business days before the scheduled hearing.

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2:13 p.m. Matter concludes.

All parties representing themselves must keep the Court updated with address changes.  
A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.